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JOSHUA L. DRATEL

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LINDSAY A. LEWIS
WHITNEY G. SCHLIMBACH

STEVEN WRIGHT
Office Manager

January 7, 2016

BY ECF

The Honorable Lorna G. Schofield
United States District Judge
Southern District of New York
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, New York 10007

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 01/07/2016

Re: *United States v. Antione Chambers*,
S1 13 Cr. 345 (LGS)

Dear Judge Schofield:

This letter is submitted on behalf of defendant Antione Chambers, whom I represent in the above-entitled case, in support of his application, pursuant to Rule 4(b)(4), Fed.R.App.P., for an extension of time to file a Notice of Appeal until January 19, 2016, “for good cause” as set forth below arising from the discrepancy between the date the Judgment was imposed and filed, and the date it was entered on the electronic docket at #254. Assistant United States Attorney Amy Lester informed me today that the government does not object to this application.

Mr. Chambers was sentenced on December 21, 2015, and the Judgment (#254), which was filed on December 21, 2015, was not entered on the electronic docket until January 6, 2016. As set forth in Rule 4(1)(A)(i), a criminal defendant must file a Notice of Appeal within 14 days of the “entry of either the judgment or the order being appealed,” a deadline which expired on January 4, 2016, two days before the Judgment was entered on the electronic docket and noticed to the parties. *See* January 6, 2016, Email Notification of Notice of Electronic Filing of Document No. 254, attached hereto as Exhibit 1.

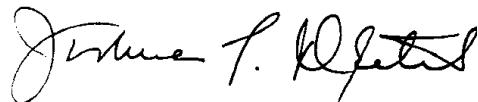
My associate, Whitney G. Schlimbach, Esq., spoke with the filing clerk at the Southern District of New York January 6, 2016, after the electronic notice was received, who informed her that the transaction was docketed when it was received from chambers for filing, on January 6, 2016, and advised therefore, that he did not have authority to make any changes or corrections to the date of the Judgment itself (December 21, 2015).

LAW OFFICES OF
JOSHUA L. DRATEL, P.C.

The Honorable Lorna G. Schofield
United States District Judge
Southern District of New York
January 6, 2016
Page 2 of 2

Accordingly, this application respectfully requests an extension of time in which to file the Notice of Appeal until January 19, 2016, as good cause exists for the request arising from the delay between the filing of the Judgment on December 21, 2015, and the notice to the parties of the filing of the Judgment on January 6, 2016. As stated above, I have spoken with AUSA Amy Lester, and the government does not object to this request.

Respectfully submitted,



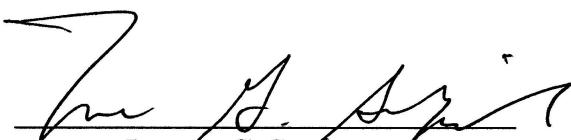
Joshua L. Dratel

JLD/

cc: Amy Lester
Negar Tekeei
Assistant United States Attorney

Application Granted. The Clerk of the Court is directed to terminate the letter motion at docket number 255.

Dated: January 7, 2016
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

EXHIBIT 1

Joshua Dratel

From: NYSD_ECF_Pool@nysd.uscourts.gov
Sent: Wednesday, January 06, 2016 9:16 AM
To: CourtMail@nysd.uscourts.gov
Subject: Activity in Case 1:13-cr-00345-LGS USA v. Brown et al Judgment

This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.

NOTE TO PUBLIC ACCESS USERS Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing. However, if the referenced document is a transcript, the free copy and 30 page limit do not apply.

U.S. District Court

Southern District of New York

Notice of Electronic Filing

The following transaction was entered on 1/6/2016 at 9:15 AM EST and filed on 12/21/2015

Case Name: USA v. Brown et al

Case Number: 1:13-cr-00345-LGS

Filer:

Document Number: 254

Docket Text:

JUDGMENT IN A CRIMINAL CASE as to Antoine Chambers (3), Counts 1, 2 and 3 are dismissed on the motion of the US. The defendant has been found not guilty on counts 4s. The defendant was found guilty on Count(s) 1s, Count(s) 2s, & Count(s) 3s, Imprisonment for a total term of 240 months to run concurrently on counts 1s, 2s, and 3s. This sentence shall also run concurrent with the sentence imposed in 12 Cr. 853 (LGS). Supervised release for a term of 3 Years to run concurrently on Counts 1s, 2s, and 3s. Special Assessment of \$300 which is due immediately. (Signed by Judge Lorna G. Schofield on 12/21/2015)(jw)

1:13-cr-00345-LGS-3 Notice has been electronically mailed to:

Eric M. Creizman ecreiz@creizmanllc.com

James Alfred Mitchell mitchellj@bssfny.com

John Michael Rodriguez (Terminated) jrnylaw@verizon.net

Joshua Lewis Dratel jdratel@joshuadratel.com, rduffey@joshuadratel.com

Amy Ruth Lester amy.lester@usdoj.gov, USANYS.ECF@USDOJ.GOV

Santosh Shankaran Aravind SANTOSH.ARAVIND@USDOJ.GOV

Alice L Fontier (Terminated) alicefontieresq@gmail.com

Elaine Kayuki Lou loue@ballardspahr.com

Negar Tekeei negar.tekeei@usdoj.gov, USANYS.ECF@USDOJ.GOV

1:13-cr-00345-LGS-3 Notice has been delivered by other means to:

Eric Criezman

The following document(s) are associated with this transaction:

Document description: Main Document

Original filename: n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1008691343 [Date=1/6/2016] [FileNumber=15846309-0] [7d3bc9975e921cb27a8389382e82727b90f88aac00a87a9b627c3d52bd146ed3f2f a9c292e5fbed188d7e5c3f0055f506d2807d75d88bfc56637b654293e50f7]]